

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

1/17/06 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR NO. 04-00475JMS

CASE NAME: U.S.A. Vs. Liugalua Vaitautolu, Jr.

ATTYS FOR PLA: Mark A. Inciong

ATTYS FOR DEFT: Pamela Tower

INTERPRETER:

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JUDGE: J. Michael Seabright

REPORTER: Stephen Platt

DATE: 1/17/06

TIME: 1:30pm-1:55pm

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COURT ACTION: EP: Sentencing to Count 1 of the First Superseding Indictment-  
Defendant present in Custody.

Court stated for the record that he did sign the Order Dismissing the Special Information.

Court accepts the Plea Agreement.

The Court adopts the presentence investigation Report.

Defendant addresses the Court.

Sentence-

Imprisonment-84 Months

Mittimus Forthwith

Court Recommendations- 1. Prison Facility-Terminal Island, CA.  
2. Prison Facility-Lompoc, CA.  
3. Vocational/Educational Training  
4. 500 Hour Comprehensive Drug Treatment

Supervised Release-4 Years

Special Conditions of Supervised Release-

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to two drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 15 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
9. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

No Fine.

Special Assessment-\$100.00

Defendant Advised of his right to Appeal.

Submitted by Leslie L. Sai, Courtroom Manager

